

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE *
SW/S Harvest Fields Drive, 2000' * ZONING COMMISSIONER
W of c/l Granite Road *
10207 Harvest Fields Drive * OF BALTIMORE COUNTY
2nd Election District *
1st Councilmanic District * Case No. 95-155-A
Ella J. Peters
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Ella J. Peters for that property known as 10207 Harvest Fields Drive in the Fields of Harvest subdivision of Baltimore County. The Petitioner herein seeks a variance from Section 1A02.3.B.4 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 16 ft. in lieu of the minimum required 25 ft. for an addition (sunroom), and to amend the Final Development Plan of Fields of Harvest, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING
Date 11/18/96
By M. G. G. G.

MICROFILMED

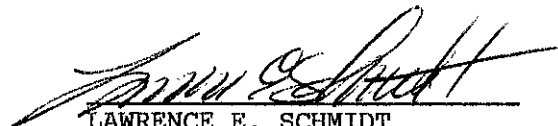
Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of November, 1994 that the Petition for a Zoning Variance from Section 1A02.3.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 16 ft., in lieu of the minimum required 25 ft., for an addition (sunroom), and to amend the Final Development Plan of Fields of Harvest, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LES:mmn


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
11/18/94
M. G. H. H.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 15, 1994

Ms. Ella J. Peters
10207 Harvest Fields Drive
Granite, Maryland 21163

RE: Petition for Administrative Zoning Variance
Case No. 95-155-A
Property: 10207 Harvest Fields Drive

Dear Ms. Peters:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a printed name and title.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Petition for Administrative Variance

95-155-A

to the Zoning Commissioner of Baltimore County

for the property located at 10207 Harvest Fields Drive
Granite, MD 21163

which is presently zoned residential
PC-3

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A02.3.B.4 (BCZR)

To allow a side yard setback for 16 feet (for an addition) in lieu of the minimum required 25 feet and to amend the FDP of Fields of Harvest.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The proposed 22x22 sunroom addition would leave a distance of 16 feet between the addition and the property line. This addition will not present a problem because the adjacent property is a drainage and utility easement.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of ____ 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: *[Signature]* DATE: 10-17-94

ESTIMATED POSTING DATE: _____

Printed with Soybean Ink
on Recycled Paper

ITEM #: 144

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 10207 Harvest Fields Drive

address

Baltimore, Maryland 21163

City

State

Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The request for an Administrative Variance is based on the fact that the proposed 22x22 sunroom addition will not be an encumbrance. This is due to the fact that the adjacent property is a drainage and utility easement, and is 50 feet from the property line.

It would be impractical to build the sunroom at any other location. This is due to the design of the house.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Ella J. Peters

(signature)

Ella J. Peters

(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF Harford, to wit:

I HEREBY CERTIFY, this 30th day of September, 19 94, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Ella J. Peters Only

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

9-30-94

date

Anne H. Ryan

NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES FEBRUARY 11, 1995

EXAMPLE 3 - Zoning Description

- 3 copies

95-155-A

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 10207 Harvest Fields Drive
Granite, Maryland 21163
(address)
Election District 2 Councilmanic District 1

Beginning at a point on the S. 17 deg. 10' 55 deg. W. side of
(north, south, east or west)

Harvest Fields Drive which is 50' R/W
(street on which property fronts) (number of feet of right-of way width)

wide at a distance of 2,000' west of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street Granite Road
(name of street)

which is 26' wide. *Being Lot # 4,
(number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of
Fields of Harvest as recorded in Baltimore County Plat
(name of subdivision)

Book # 52, Folio # 63, containing
52,908 sq. ft. \pm 1.216 acres
(square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber 52, Folio 63" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

ENCLOSURE

#144

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 2nd Date of Posting 10/20/94
Posted for: Varianco
Petitioner: Ella K. Peters
Location of property: 10207 Harvest Fields Drivly, Suite

Location of Signs: Facing road way on property being turned

Remarks: No Pole used
Posted by [Signature] Date of return: 11/4/94
Signature
Number of Signs: 1

MICROFILMED



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-155-A

Account: R-001-6150

Number 144

Date 10-17-94

Taken by : JRF

PETERS -- 10207 Harvest Fields Dr.

010 -- Variance \$ 50.00

030 -- SPH (Amendment) . . . \$ 50.00

080 -- Sign \$ 35.00

\$ 135.00

MICROFILMED

10A0280159HYCHRC
R0101157A010 17 94

\$135.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 144

Petitioner: Ella J. Peters

Location: 10207 Harvest Fields Drive

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Ella J. Peters

ADDRESS: 10207 Harvest Fields Drive

PHONE NUMBER: 922-2215

AJ:ggs

MICROFILMED

(Revised 04/09/93)



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Ella J. Peters
10207 Harvest Fields Drive
Granite, Maryland 21163

RE: Case No. 95-155A, Item No. 144
Petitioner: Ella Peters

NOV. 7 1994

Dear Mrs. Peters:

The Zoning Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on October 17, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following is related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office:

1. The director of the Office of Zoning Administration and Development Management has instituted a system whereby zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions' filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.
2. Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.
3. Those individuals who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72-hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e., 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Joyce Watson in the zoning office at 887-3391 or the commenting agency.

Sincerely,
W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jnw
Enclosure(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Nov. 7, 1994
Zoning Administration and Development Management

FROM: *Rub* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for November 7, 1994
Items 144, 149, 150, and 151

The Developers Engineering Section has reviewed
the subject zoning items and we have no comments.

RWB:sw

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**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary

Hal Kassoff
Administrator

11-4-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109

111 W. Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: MS. JOYCE WATSON

Re: Baltimore County

Item No.: *144 (JRF)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RECEIVED 11/4/94

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE:

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 143, 144, 149, 150, 151, and 152

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey M. Long

Division Chief:

Carol L. Keller

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 11/02/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF OCT. 31, 1994

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 143, 144, 146, 147, 148,
149, 151 AND 152.

MICROFILMED

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

October 28, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Ella J. Peters
10207 Harvest Fields Drive
Granite, Maryland 21163

Re: CASE NUMBER: 95-155-A (Item 144)
10207 Harvest Fields Drive
SW/S Harvest Fields Drive, 2000' W of c/l Granite Road
2nd Election District - 1st Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before October 30, 1994. The closing date (November 14, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

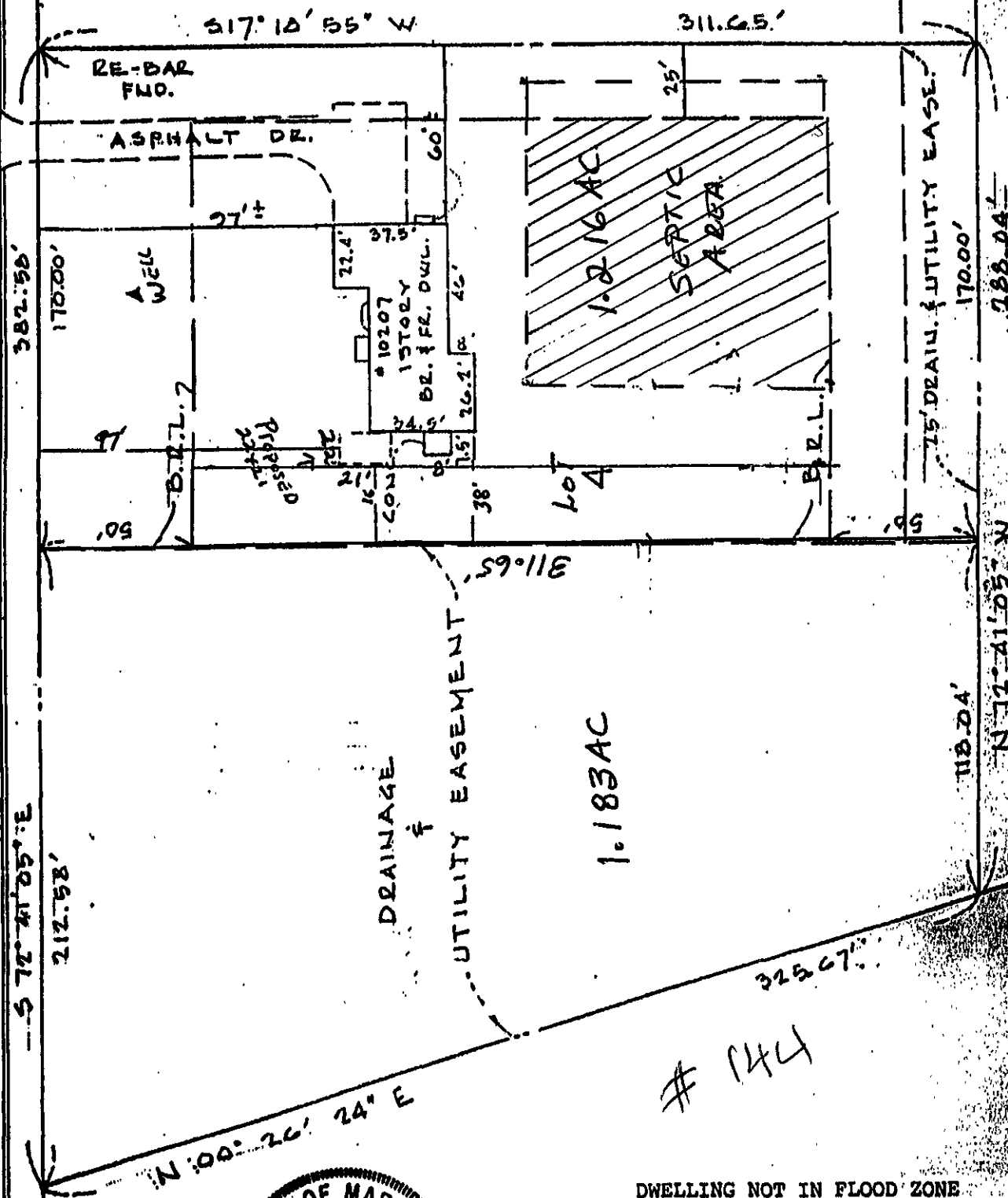
WILLIAM J. JABLO



95-155-A

HARVEST FIELDS DRIVE
(50' E/W - PAVED 24')
CURE?

GRANITE RD.



I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown.

George D. Sain



REG. NO. 8012

Note:

Designated as Lot No. 4, as shown on the Plat entitled "Fields of Harvest, Section Two, Plat 1," which Plat is recorded among the Land Records of Balto. Co. in Plat Book E.H.K., Jr. No. 52, folio 63.

DWELLING NOT IN FLOOD ZONE

SCALE

1" = 50'

LOCATION SURVEY

10207 Harvest Fields Drive 2nd Dist. Balto. Co., Md.

DATE

4/24/91

GENERAL SURVEYING CO.

LAND & TOPOGRAPHIC SURVEYS

JOB No

91253

9 Lake Forest Court

Baltimore, Md. 21236



NOTE: This plat is not intended for use in establishing property lines.

see pages 5 & 6 of the CHECKLIST for additional required information

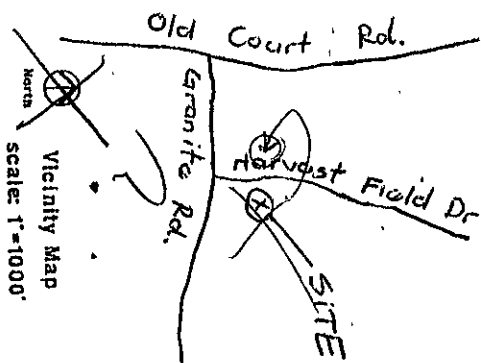
plat book# 52, folio# 63, lot# _____, section# two

OWNER: Ella J. Peters

12/10



Scale of Drawing: 1" = 50 ft.



Vicinity Map
scale: 1"=1000'

22

1

•

π
υ
ι

square feet

Test

1

7

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:



144

PETITIONER(S) EXHIBIT ()

Front + Side Yard - THE PROPOSED
ADDITION WILL BE BUILT IN THE AREA SHOWN

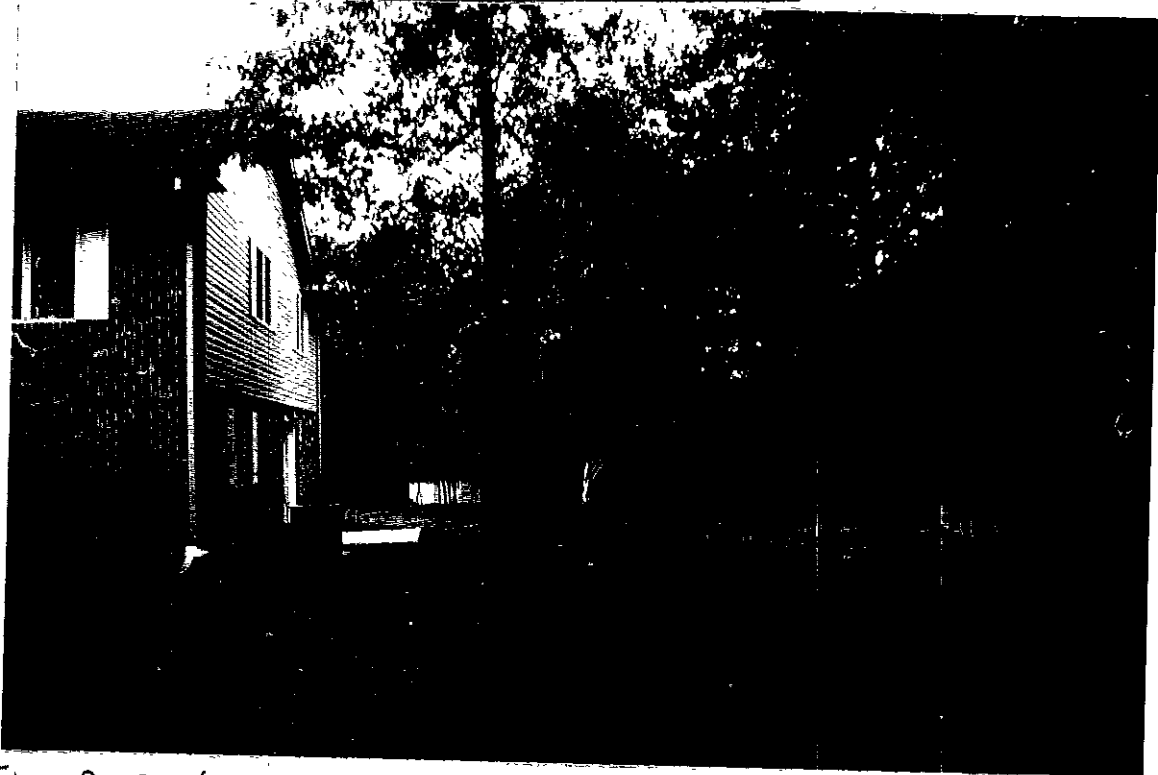


Rear Yard - THE PROPOSED ADDITION
WILL BE BUILT JUST FORWARD OF THE CEMENT PAD

#144

H. H. H. H. H.

PETITIONER(S) EXHIBIT ()



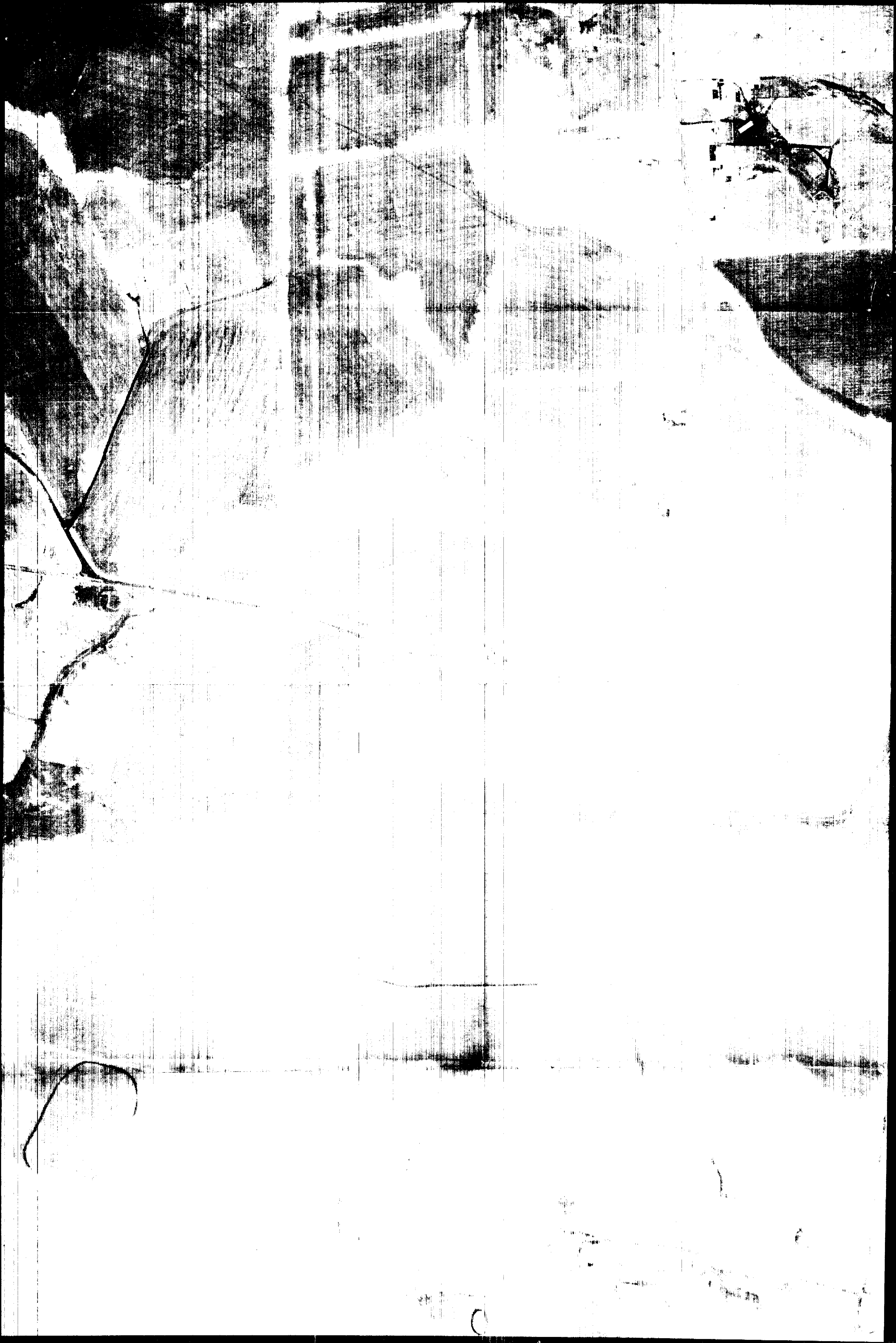
SIDE YARD - THIS IS THE AREA FOR
THE PROPOSED ADDITION



SIDE YARD - THIS IS THE AREA WHERE
THE PROPOSED ADDITION WILL BE BUILT

#144

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BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1966

LOCATION
SYLVAN DELL

SHEET
N.W.
5-K
MICROFILMED

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

95-155-A



THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

LL-NE
PP-SE

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 11, 1988
Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Ord. Nos. 83-92, 84-92, 85-92, 86-92, 87-92, 88-92, 89-92, 90-92, 91-92, 92-92

Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200' ±	SYLVAN DELL	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986		S-K

MICROFILMED

95-155-H